

4-10-02  
P.2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Gabrilovich *et al.*

Serial No.: 09/526,320

Filed: March 15, 2000

For: DENDRITIC CELLS TRANSDUCED  
WITH A WILD-TYPE SELF GENE  
ELICIT POTENT ANTITUMOR  
IMMUNE RESPONSES



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Examiner: Beckerleg, A.

Atty. Dkt. No.: INRP:074US

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

March 28, 2002  
Date

Robert E. Hanson

I. PETITION FOR EXTENSION OF TIME; II. AMENDMENT AND III. REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. §1.111

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Office Action mailed on September 28, 2001, a response to which is due on March 28, 2002, by virtue of the Petition For Extension of Time included herewith. Please amend the application as indicated below.

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## I. PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. § 1.136(a), Applicants petition for an extension of time of three-months to and including March 28, 2002 in which to file the instant response. Pursuant to 37 C.F.R. § 1.17, a check in the amount of \$460.00 is enclosed, which is the process fee (\$460.00) for a three-month extension of time. The Commissioner is hereby authorized to deduct any fees due for the additional new claims added in the case from Fulbright & Jaworski L.L.P. Deposit Account No.: 50-1212/10004075/INRP:074US/REH. Additionally, if the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the instant response, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to the aforementioned deposit account.

## II. AMENDMENT

### In the Claims:

Please cancel claims 32 and 38-60. Please amend claim 1 as follows:

- Sub B*
1. (Amended) A method for treating a human subject with a hyperproliferative disease comprising the steps of:
- (i) identifying a subject with a hyperproliferative disease characterized by alteration or increased expression of a self gene product in at least some of the hyperproliferative cells in said subject; and
  - (ii) intradermally administering to said subject an expression construct in a viral particle comprising a self gene under the control of a promoter operable in eukaryotic dendritic cells, wherein the dendritic cells are infected by said construct, whereby said self gene product is expressed by dendritic cells and presented to immune effector cells, thereby stimulating an anti-self gene product response.

Please add new claims 61-135 as follows:

2. --61. A method for treating a subject with a hyperproliferative disease comprising the steps of: